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October 2, 2023

Via ECF

MEMORANDUM ENDORSED

Hon. Gabriel W. Gorenstein
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *EMA Financial, LLC v. Vystar Corp.*
Case No. 19-cv-01545-ALC-GWG

Dear Judge Gorenstein:

I am counsel for plaintiff EMA Financial, LLC in the above-referenced action. I write to request an adjournment of the oral argument on the pending motion for summary judgment currently scheduled for October 12, 2023, at 11:00 a.m. in Courtroom 519. The reason for this request is that I am not available to appear in person on that date. Counsel for Defendant has consented to the adjournment, and both parties are available for the oral argument on either October 27, 2023 in the morning, October 30, 2023, or October 31, 2023 in the morning, should any of those dates be convenient for the Court. While the parties are available the morning of October 31, 2023, Mr. Bordetsky has a telephonic appearance before the Hon. Magistrate Judge Taryn A. Merkl (E.D.N.Y.) at 2:30 p.m. that day that requires him to be before his computer during the course of the call.

Additionally, I write to respectfully request permission to bring our personal electronic devices into the Courthouse pursuant to the form order attached hereto.

We thank the Court for its consideration.

Respectfully Submitted,

/s/ Jeffrey Fleischmann

cc: Counsel via ECF

Conference adjourned to October 27, 2023, at 10:30 a.m

So Ordered.



GABRIEL W. CORENSTEIN
United States Magistrate Judge

October 2, 2023